

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JEROME EUGENE TODD,

Plaintiff,

v.

UNITED STATES and FEDERAL BUREAU
OF PRISONS,

Defendants.

Case No. C16-312-RSL

REPORT AND RECOMMENDATION

Plaintiff Jerome Eugene Todd is proceeding *pro se* in the above-entitled action and has filed an application to proceed *in forma pauperis* (“IFP”). Dkt. 4. By Order dated April 1, 2016, the Court denied plaintiff’s IFP application due to plaintiff’s failure to sign the written consent for payment of costs form. Dkt. 7. Plaintiff was granted leave to amend and correct the deficiency within thirty (30) days. *Id.* On April 14, 2016, plaintiff moved the Court to “allow the plaintiff to sign the written consent for payment of costs form . . . by re-mailing such application to the plaintiff in order to correct the deficiency,” or alternatively, enter an order granting plaintiff IFP status. Dkt. 11. The Court construed plaintiff’s motion as a request for an extension of time to correct his IFP deficiency, and granted plaintiff an additional thirty (30) days to submit a properly completed IFP application. Dkt. 16. The Clerk of the Court mailed

1 plaintiff a blank IFP application. *Id.* at 2.

2 To date, however, plaintiff has failed to submit a properly completed IFP form or attempt
3 to correct the deficiency. In addition, the deadline for plaintiff to correct and resubmit his IFP
4 application has passed. Accordingly, the Court recommends that plaintiff's proposed complaint,
5 Dkt. 1, be DISMISSED without prejudice for failure to pay the filing fee or submit an adequate
6 IFP application. A proposed order accompanies the Report and Recommendation.

7 Objections to this Report and Recommendation, if any, should be filed with the Clerk and
8 served upon all parties to this suit by no later than **July 5, 2016**. Failure to file objections within
9 the specified time may affect your right to appeal. Objections should be noted for consideration
10 on the District Judge's motion calendar for the third Friday after they are filed. Responses to
11 objections may be filed within **fourteen (14)** days after service of objections. If no timely
12 objections are filed, the matter will be ready for consideration by the District Judge on **July 8,**
13 **2016**.

14 This Report and Recommendation is not an appealable order. Thus, a notice of appeal
15 seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the
16 assigned District Judge acts on this Report and Recommendation.

17 DATED this 13th day of June, 2016.

18 

19 JAMES P. DONOHUE
20 Chief United States Magistrate Judge